IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14775 of 2004

Between:

KVV Satyanarayana, S/o. Ramakrishna,
PACCS B Savaram, Razole, East Godavari District.

..... PETITIONER

AND

1 District Cooperative Officer, Kakinada, East Godavari District.
2 Divisional Cooperative Offier, Amalapuram, East Godavari

District.
3 The Cooperative Sub Registrar-cum-Enquiry Officer, B Savaram

Primary Agricultural Cooperative Credit Soceity Ltd., O/o.

Divisional Cooperative Officer, Amalapuram, E.G. District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particulary one in the nature of Writ of Mandamus declaring the action of the respondents in not conducting and concluding enquiry in fair and transparent manner within statutory period of 4 months pursuant to letter, dt.15-6-2004 in Rc.No. 1056/2004 A issued by 1st respondent is illegal, irregular and violative of Art. 14,19 and 21 of the Constitution of India and also provisions of AP Cooperative Societies Act also rules framed there under and by laws of the Society, and consequently direct the respondents to conduct enquiry within the statutory period of 4 months or within such further reasonable time extending fullest opportunity for me to defend the alleges (not served) and pass such other order or orders as the Hon’ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.SATYANARAYANA NIMMAGADDA
Counsel for the Respondents: GP FOR COOPERATION

The Court at the stage of admission made the following :

ORAL ORDER

The petitioner is working as Secretary in the third respondent-society. An enquiry was ordered into the affairs of the society under section 51 of the A.P. Cooperative Societies Act,1964. During pendency of the said inquiry, the petitioner is kept under suspension. The petitioner approached this Court seeking a direction to the third respondent to complete the inquiry within the statutory period of four months. The petitioner in his affidavit stated that while proceeding with the inquiry, new facts are coming to light and the further allegations are being made that an amount of Rs.35 lakhs has been misappropriated. The enquiry is in progress.

In the light of the representation made by the petitioner, the third respondent is directed to expedite the enquiry and complete the same at the earliest.

The writ petition is disposed of accordingly. No order as to costs.

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19th AUGUST 2004

*TSNR

TO

1. The District Cooperative Officer, Kakinada, East Godavari District.

2 The Divisional Cooperative Offier, Amalapuram, East Godavari District.

3 The Cooperative Sub Registrar-cum-Enquiry Officer,

B Savaram Primary Agricultural Cooperative Credit Soceity Ltd., O/o. Divisional Cooperative Officer, Amalapuram, E.G. District.

4. Two CCs to G.P for Cooperation, High Court buildings, High Court of A.P. Hyderabad (OUT)

5. Two C.D. Copies